

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 8:24-cv-02600-JVS-ADS Date March 17, 2025

Title InSinkErator LLC v. Joneca Company, LLC

Present: The Honorable James V. Selna, U.S. District Court Judge

Elsa Vargas

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Not Present

Attorneys Present for Defendants:

Not Present

Proceedings: [IN CHAMBERS] Order Regarding Motion to Dismiss [97]

On February 21, 2025, InSinkErator LLC (“InSinkErator”) filed a motion to dismiss Joneca Company, LLC’s (“Joneca”) Counterclaim. (Dkt. No. 97.) The hearing on this motion was set for March 31, 2025. On March 10, 2025, Joneca filed an amended counterclaim. (Dkt. No. 98.) As a result of Joneca’s filing, InSinkErator issued a Notice of Withdrawal of its motion to dismiss. (Dkt. No. 101.)

When an amended complaint is filed, the original complaint “ceases[s] to exist.” See Ramirez v. Cnty. of San Bernardino, 806 F.3d 1002, 1008 (9th Cir. 2015). Here, the amended counterclaim supersedes the original counterclaim. Therefore, the motion to dismiss based on the original counterclaim is moot. The Court hereby **DENIES as moot** the motion to dismiss and **VACATES** the March 31, 2025, hearing.

**IT IS SO ORDERED.**